

REGULAR COUNCIL MEETING
MONDAY, JUNE 3, 2019
COUNCIL CHAMBERS
www.lackawannany.gov

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Annette Iafallo presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Annette Iafallo.

Meeting called to order
NB: Meeting being recorded

Roll Call: Council: Present: Ingram, Schultz, Surdyke, Iafallo

Dept. Heads: Present: Law, Public Works, Public Safety, Comptroller, Recreation
Excused: Development

Approval of Minutes: of regular meeting of May 20, 2019 and special meeting of May 29, 2019

Moved by Iafallo seconded by Ingram to adopt minutes of regular and special meeting as written
Yeas: Ingram, Schultz, Surdyke, Iafallo Moved 4-0

Departmental Reports:

1. **City Comptroller-** A/P Check Listing #43, dated May 16, 2019
2. **City Comptroller-** A/P Check Listing #44, dated May 23, 2019
3. **City Comptroller-** A/P Check Listing #45, dated May 28, 2019

Moved by Iafallo seconded by Schultz to receive and file departmental reports one thru three
Yeas: Ingram, Schultz, Surdyke, Iafallo Carried 4-0

Communications from the Mayor:

LED Streetlight Conversion

4. To: City Council

I informed Larry Martin of National Grid that the City of Lackawanna is interested in pursuing the LED streetlight conversion program. The city doesn't have the capacity to purchase the poles outright and maintain upkeep, maintenance and repairs of the lighting poles and would insist that National Grid replace the energy inefficient lights with new LED lights with National Grid to continue to own the light, poles and equipment.

The city understands that there is an incentive if we begin this process in the very near future.

I requested that he forward a proposal with the appropriate information and what is needed to further pursue this project, and contact my office and the city clerk with any additional information.

MAYOR GEOFFREY M. SZYMANSKI

Moved by Surdyke seconded by Iafallo to receive and file
Yeas: Ingram, Schultz, Surdyke, Iafallo Carried 4-0

Director of Development-Waive Residency Requirement

5. To: City Council

I hereby request the City Council waive the residency requirement for Richard Stanton, Esq. to be hired as the Director of Development. As you know under Section 5-38 of the City Charter each officer and employee of the city during the period of his or her employment is to maintain his or her residence within the corporate limits of the city. Mr. Stanton has done work for the City as outside counsel on numerous matters and I feel he is the most qualified person for this position.

As you know the shortage of qualified department heads within the city limits has led to previous requests for the same waiver.

MAYOR GEOFFREY M. SZYMANSKI

Moved by Iafallo seconded by Ingram to receive and file, act on resolution

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

5. (A) RESOLUTION 12, 2019

WHEREAS, Richard Stanton, Esq., shall be duly appointed by Mayor Geoffrey M. Szymanski to the position of Director of Development, effective June 4, 2019; and

WHEREAS, the City Council is empowered to waive the requirement of residency in those instances where the employer has difficulty hiring or promoting the most qualified person because of the residency requirement;

NOW, THEREFORE BE IT

RESOLVED, that pursuant to Chapter 5-38 of the Municipal Code of the City of Lackawanna, the residency requirement for Richard Stanton, Esq., Director of Development, be and the same is hereby waived.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Iafallo seconded by Ingram to adopt resolution as written

Yeas: Ingram, Schultz, Surdyke, Ingram

Carried 4-0

Communications form the Council:

2019-2020 Operating Budget

6. To: City Council

We have worked together on the Mayor’s Proposed Budget the last few weeks; attached is the modified 2019-2020 Budget which we have agreed on, for your approval.

The Council modified the garbage fee by \$3.00 leaving the fee as is, at \$254.00, with **no increase.

The Council has approved a 30% tax shift-

- * Homestead Tax Rate \$18.58
- * Non-Homestead Tax Rate \$42.10

Total taxes did not change.

ANNETTE IAFALLO-COUNCIL PRESIDENT

Moved by Iafallo seconded by Ingram to receive and file, act on ordinance
Yeas: Ingram, Schultz, Surdyke, Ingram

Carried 4-0

6. (A) AN ORDINANCE ADOPTING THE CURRENT EXPENSE BUDGET OF THE CITY OF LACKAWANNA FOR THE FISCAL YEAR 2019-2020

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. The City Charter of the City of Lackawanna, New York requires that the City Council, at a meeting thereof, held not later than the 10th day of June, adopt a Current Expense Budget for the fiscal year, August 1, 2019 through July 31, 2020, showing all City expenditures and revenues and including the real property tax rate.

SECTION 2. That the sum of \$11,985,449.00, being the entire amount determined to be necessary to be raised by taxation to defray the expense of the City for the 2019-2020 fiscal year, apportioned in the amount of \$6,440,852.00 for properties qualifying as homestead properties and \$5,544,597.00 for non-homestead properties, in accordance with the detailed statement of revenues and expenses as estimated and adopted by the City Council, be and the same is hereby levied upon all real and personal property subject to taxation upon the assessment roll of the City of Lackawanna for the 2019-2020 fiscal year.

SECTION 3. That the City Clerk be and hereby is directed to extend and apportion the said sum levied and to be raised by taxation as aforesaid in the last assessment roll of the City of Lackawanna delivered to him and to deliver a certified duplicate of the same, with a warrant annexed, under the seal of the City of Lackawanna to the City Treasurer, commanding her to receive, levy and collect the several sums in said roll specified as assessed against the persons or property therein mentioned or described with such percentage in the manner provided by law for the collection and levying of City taxes by the City Treasurer.

SECTION 4. That the following schedule be and the same is hereby adopted as the Current Expense Budget of the City of Lackawanna for the fiscal year August 1, 2019 through July 31, 2020, along with the revenues and taxation estimated and levied herein, and that same be and hereby is appropriated in the sums set forth in the third column of said schedule to the use of the several boards, departments and offices for the purposes enumerated therein, to wit:

Homestead Tax Rate:	\$18.58 of assessed valuation
Non-Homestead Tax:	\$42.10 of assessed valuation

SECTION 5. That the City Clerk be and hereby directed to forward a copy of this Ordinance to the City Treasurer, Director of Administration and Finance, City Comptroller and the City Attorney's Office.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Iafallo seconded by Ingram to adopt ordinance as written
Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Safe Street Improvement

7. To: City Council

Update of the meeting concerning safe street improvement in our community at St. Anthony Church on Thursday, May 30.

JOHN INGRAM-1ST WARD COUNCILMAN

Moved by Iafallo seconded by Ingram receive and file

Yeas: Ingram, Schultz, Surdyke, Ingram

Carried 4-0

Communications from Department/Division Heads:

Standard Work Day Reporting

8. To: City Council

Attached for your review is the Standard Work Day Reporting Resolution for Elected and Appointed Officials (Form RS 2417-A). The Form is utilized to establish the standard work day for each position within the City as required by the New York State and Local Retirement System. Please review and approve the attached schedule. (On file with City Clerk)

CAROLYN A. NICOMETO-CITY COMPTROLLER

Moved by Iafallo seconded by Schultz to approve standard work day reporting

Yeas: Ingram, Schultz, Surdyke, Ingram

Carried 4-0

Adjusted Base Proportions for City/School 2019-2020

9. To: City Council

Attached is the Adjusted Base Proportions Table for the 2019-2020 tax roll.

The Shift of 30% in the attached documents is representative of the 2019-2020 Budget Proposal.

Pursuant to Article 19 of the New York State Real Property Tax Law and New York State Office of Real Property Service Rules, NYCRR-186-10, the legislative body of the City of Lackawanna must establish current and adjusted base proportions.

Attached are forms EA6701 and EA6703 with computations of the Current Base Proportions and Adjusted Base Proportions for the City of Lackawanna and Lackawanna School District portions of the 2019-2020 assessment roll. Please direct the City Clerk to certify these forms with the 30% Shift and forward them to the New York State Office of Real Property Services.

FRANK E. KRAKOWSKI-CITY ASSESSOR

Moved by Iafallo seconded by Surdyke to receive and file, act on resolutions

Yeas: Ingram, Schultz, Surdyke, Ingram

Carried 4-0

9 (A) RESOLUTION #13, 2019

WHEREAS, The City of Lackawanna may adopt locally adjusted base proportions pursuant to Local Law No. 3, 1993 and Section 1903.04 of the New York State Real Property Tax Law,

NOW THEREFORE, BE IT

RESOLVED, that for the City of Lackawanna tax levies for fiscal year 2019-2020, it is hereby established:

That the Council hereby adopts a 30% shift of its adjusted base Proportions resulting in the following *locally adjusted base proportions*:

<u>Shift</u>	<u>Homestead</u>	<u>Non-Homestead</u>
30%	53.73893	46.26107

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Iafallo seconded by Surdyke to adopt resolution as written
 Yeas: Ingram, Schultz, Surdyke, Iafallo Carried 4-0

9 (B) RESOLUTION #14, 2019

WHEREAS, The City of Lackawanna may adopt locally adjusted base proportions pursuant to Local Law No. 3, 1993 and Section 1903.4 of the New York State Real Property Tax Law,

NOW THEREFORE, BE IT

RESOLVED, that for the Lackawanna School District tax levies for fiscal year 2019-2020, it is hereby established:

That the Council hereby adopts a 30% shift of its adjusted base Proportions resulting in the following *locally adjusted base proportions*:

<u>Shift</u>	<u>Homestead</u>	<u>Non-Homestead</u>
30%	55.65788	44.34212

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Iafallo seconded by Surdyke to adopt resolution as written
 Yeas: Ingram, Schultz, Surdyke, Ingram Carried 4-0

Communications from Citizens:

Live Entertainment-Street Closure

10. To: City Council

I, Mark Kielbasa ask the City of Lackawanna Council to grant me permission to have LIVE Entertainment at my family reunion at my residence 306 Center Street and across the Street at 307 Center St. (Jack Kwasniewski's parking lot) between the hours of 1:00 p.m. to 11:00 p.m. on Saturday August 3rd, 2019. There will **not** be any type of vending machines or anything of that nature which will draw money. I have spoken to all my surrounding neighbors making them aware of my intentions and they are OK with it. I am Also requesting to get the block closed off from Krakow St. to Kirby Ave. There will be people crossing the street between my house 306 and across the street 307 Center.

Thank you for your time and interest in this matter.

MARK D. KIELBASA

Moved by Iafallo seconded by Schultz to approve request, pending completion of live entertainment license application. Refer to Director of Public Safety and DPW

Yeas: Ingram, Schultz, Surdyke, Ingram Carried 4-0

Commissioner of Deeds-Global Concepts

11. To: City Council

I am requesting the following individuals be appointed Commissioner of Deeds, by the City of Lackawanna:

Mr. Dawan D. Jones, Chairman, Board of Trustees

Mr. Tracy L. McGee, CEO

Ms. Vanessa J. Huff-Brown, Administrative Assistant

Ms. Gwen Conway, District Data Coordinator

Ms. Karen Y. Perez, Receptionist/DDC Assistant

These individuals are officers and staff of Global Concepts Charter School Administrative Building.

The purpose of this appointment is for the following reason:

To carry out the business functions of Global Concepts Charter School

Your consideration to this request will be deeply appreciated.

DAWAN D. JONES, CHAIRMAN-BOARD of TRUSTEES

Moved by Iafallo seconded by Ingram to approve request for Commissioner of Deeds status for Global Concepts Charter School Personnel

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Adjournment:

Moved by Iafallo seconded by Schultz meeting adjourned

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Annette Iafallo-Council President

Jeffrey P. DePasquale- City Clerk